

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39067 of 2026

Arising Out of PS. Case No.-183 Year-2026 Thana- FATUA District- Patna

Ritik Kumar, aged about 19 years, Gender-Male, Son of Mahesh Sharma,
Resident of Village - Damrahi Ghat, P.S. - Malsalami, District Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Anand, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 17-06-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Fatuha
P.S. Case No. 183 of 2026 instituted for the offences punishable
under Sections 317(5), 318(4) and 336(2) of the BNS.

3. As per allegation in the FIR, petitioner was caught
by the police with a stolen motorcycle bearing registration no.
BR1AC3051 and Chesis No. MBLHAR07XJ4J10369 and he
has not produced any documents regarding the said motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has
falsely been implicated in this case. He submits that no
incriminating articles/motorcycle has been recovered from the
possession of the petitioner. He further submits that no Audio-
Video clips were prepared at the time of preparing seizure. He



next submits that from perusal of the seizure list, it appears that it was prepared at about 15:25 on 20.03.2026 but the FIR was lodged on the same day at 15:55 meaning thereby that the FIR was lodged subsequently after passing half an hour and as such the seizure itself is doubtful. He next submits that from the seizure list it reflects that it was not prepared in the presence of independent witness rather the witnesses are police personals (Home Guard). Petitioner has got clean antecedent as stated in para 3 of the petition is in custody since 21.03.2026.

5. Learned APP for the State opposes the prayer for regular bail of the petitioner.

6. From perusal of the FIR and impugned order of the learned Additional Sessions Judge-V, Patna City dated 13.05.2026, it appears that on the basis of written report of the informant namely, Shankar Prasad, FIR has been registered under Sections 317(5), 318(4) and 336(2) of the BNS against the above named petitioner and the allegation is of stolen motorcycle. The petitioner was using the motorcycle by changing number plate and during investigation the police caught the petitioner. It also appears that the seizure list has been prepared at the premises of the police station and there is no any independent witnesses of the seizure list and both the



witnesses of the seizure list are the police personnels (Home Guard). Petitioner has got clean antecedent as stated in para 3 of the petition and he is in custody since 21.03.2026 and there is no any independent witnesses of the seizure list, so considering all these aspects of the case and submission of learned counsel for the petitioner, I am inclined to grant regular bail to the above named petitioner, so the prayer for bail of the petitioner is allowed.

7. Accordingly, let the petitioner above named be released on regular bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-II, Patna City in connection with Fatuha P.S. Case No. 183 of 2026.

(Ramesh Chand Malviya, J)

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